

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Letters Patent of:

Istvan S. LINDMAYER

Patent No.: 7,749,187 B2

Confirmation No.: 5251

Issued: July 06, 2010

Art Unit: 3763

For: NEEDLELESS INJECTION DEVICE AND
CARTRIDGES

Examiner: Q. VU

REQUEST FOR REFUND

MS 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of May 2010 for the above-identified

☐ application ☒ patent

☒ A copy of the monthly statement is enclosed.

II. FEEs CHARGED FOR WHICH REFUND REQUESTED

| | AMOUNT OF REFUND REQUESTED |
|--|----------------------------------|
| <input type="checkbox"/> filing fee | |
| <input type="checkbox"/> search fee | |
| <input type="checkbox"/> examination fee | |
| <input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e)) | |
| <input type="checkbox"/> extension of term | |
| <input type="checkbox"/> first month | |
| <input type="checkbox"/> second month | |
| <input type="checkbox"/> third month | |
| <input type="checkbox"/> fourth month | |
| <input type="checkbox"/> fifth month | |
| <input type="checkbox"/> excess claims | |
| <input checked="" type="checkbox"/> issue fee | \$755.00 |
| <input type="checkbox"/> petition fee | |
| <input type="checkbox"/> patent maintenance fee | |
| <input type="checkbox"/> first maintenance fee | |
| <input type="checkbox"/> second maintenance fee | |
| <input type="checkbox"/> third maintenance fee | |
| <input type="checkbox"/> patent maintenance fee surcharge | |
| <input type="checkbox"/> Other | |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | |
| TOTAL REFUND REQUESTED | \$755 |

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Application is a small entity but Issue Fee payment made was that of large entity.

IV. REFUND OF 50% OF FEES

- ☒ enclosing a copy of the Application Transmittal in which Small Entity is claimed.
☐ filed herewith
☒ filed on February 21, 2006 with application

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$755 be credited to Deposit Account No. 02-2448.

VI. REMARKS

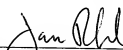
Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Filing Fee. Small entity status has been established by the filing of a written statement on February 21, 2006 .

Small entity applicants may file the necessary Statement within three (3) months of the date of payment of any particular fee and request a refund. The present application qualifies for the reduced fees as implemented by the U.S. Patent and Trademark Office on October 1, 1982, and further amended on January 20, 1983 and September 8, 2000.

Favorable action on the present Request is respectfully requested.

Dated: August 5, 2010

Respectfully submitted,

By  #47,305
for Marc S. Weiner
Registration No.: 32181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
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703-205-8000

Attachment

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**United States
Patent and
Trademark Office**

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KOLASCH & BIRCH

Attention:
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ROAD

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City: FALLS CHURCH

State: VA

Postal code: 22042

Country: UNITED STATES

Telephone: 703-205-8090

Fax:

Balance Amount:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP
May 2010 Deposit Account Reconciliation**

| Date | Reference No. | Docket Number | PTO Fee Code | BSKB Cost Code | Fee |
|--------|---------------|---------------|--------------|----------------|------------|
| 21-May | 10568781 | 0474-0118PUS1 | 1501 | DI | \$1,510.00 |

COPY

IAP3 Rec'd PCT/PTO 21 FEB 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

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| | | |
|---|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 3347-0105PUS1 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/568781 PRIORITY DATE CLAIMED 21 August 2003 |
| INTERNATIONAL APPLICATION NO. PCT/HU2004/000083 | INTERNATIONAL FILING DATE 11 August 2004 | |
| TITLE OF INVENTION NEEDLELESS INJECTION DEVICE AND CARTRIDGES | | |
| APPLICANT(S) FOR DO/EO/US István LINDMAYER | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☒ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - ☒ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

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| | | | | | |
|---|--------------|---|--------------|---|--------------|
| U.S. APPLICATION NO. (If known, enter (PCT) or (US)) 10/508781 | | INTERNATIONAL APPLICATION NO. PCT/HU2004/000083 | | ATTORNEY'S DOCKET NUMBER 3347-0105PUS1 | |
| 20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard PCT/ISA/210; Letter Submitting Article 19 Amendments; Drawings - Two (2) Sheets | | | | | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4) \$0 All other situations \$200 | | | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500 | | | | \$ 400.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 29 - 100 = | /50 = | | x \$250.00 | \$ | |
| Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage. (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total claims | | 14 - 20 = | x | | 0.00 |
| Independent claims | | 3 - 3 = | x | | 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 900.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3. | | | | 450.00 | |
| SUBTOTAL = | | | | \$ 450.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(j)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 450.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 450.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged | \$ |

10/568781

AP20 Rec'd PCT/PTO 21 FEB 2006

PTO-1390 (Rev. 07-2005)

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- a. ☒ A check in the amount of \$ 450.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 02-2448 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2448. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO.

February 21, 2006

CUSTOMER NUMBER: 02292


SIGNATURENAME Marc S. WeinerREGISTRATION NUMBER 32,181

/clb